

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

Presentment Date: November 16, 2018
Objection Date: November 14, 2018

In re:

x

NINETY FIRTH STREET SQUARE,

: Chapter 7

: Case No. 17-12270 (SCC)

Debtor.

:

:

:

x

**NOTICE OF PRESENTMENT OF PROPOSED ORDER, PURSUANT TO RULE
2004 OF THE FEDERAL RULES OF BANKRUPTCY PROCEDURE,
AUTHORIZING AND DIRECTING THE PRODUCTION OF DOCUMENTS BY,
AND EXAMINATION OF JOSHUA BRONSTEIN, ESQ.**

**TO: HONORABLE SHELLEY C. CHAPMAN
UNITED STATES BANKRUPTCY JUDGE**

PLEASE TAKE NOTICE THAT, that upon the application, dated August 27, 2018, and the exhibits annexed thereto (the “Application”), of Salvatore LaMonica, the Chapter 7 Trustee (the “Trustee”) of the estate of Ninety Fifth Street Square Inc. (the “Debtor”) for the entry of an Order, pursuant to Rule 2004 of the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”), directing and compelling Joshua Bronstein, Esq. (“Bronstein”) to produce certain documents to the Trustee concerning the acts, conduct, property, liabilities and/or financial condition of the Debtor and/or any other matters which may affect the administration of the Debtor’s estate as more fully set forth in the Application [ECF No. 32], and upon the status conference held on September 13, 2018 during which time the Court inquired as to the willingness of the United States Trustee (“United States Trustee”) to review the production of documents and conduct the examination pursuant to the Application; and upon an opposition by Bronstein to the Application filed on September 14, 2018; and upon a hearing on Bronstein’s application to withdraw as the Debtor’s counsel held on November 5, 2018 at which hearing the

relevance of his compliance with the Application was addressed, and upon all of the pleadings and proceedings had before this Court; and after due deliberation and sufficient cause appearing the undersigned will present the attached proposed order (the “Proposed Order”) for signature on November 16, 2018 at 12:00 p.m. to the Honorable Shelley C. Chapman, United States Bankruptcy Judge, United States Bankruptcy Court, Southern District of New York, One Bowling Green, New York, NY 10004.

PLEASE TAKE FURTHER NOTICE, that objections, if any, to the Proposed Order (the “Objections”) must be made in writing, specify the reasons and provisions of the Bankruptcy Code, the Bankruptcy Rules and the Local Rules of the United States Bankruptcy Court for the Southern District of New York, and must be filed and served as to be received no later than November 14, 2018 at 4:00 p.m. (the “Objection Deadline”).

PLEASE TAKE FURTHER NOTICE, that Objections, if any, to the Proposed Order must be served in accordance with the provisions of General Order No. M-182, so that they are received on or before the Objection Deadline upon: (1) Chambers of the Honorable Shelley C. Chapman, United States Bankruptcy Judge, United States Bankruptcy Court, Southern District of New York, One Bowling Green, New York, NY 10004; (2) Joshua Bronstein 114 Soundview Drive, Port Washington, NY 11050 (3) the United States Trustee, 201 Varick Street, Room 1006, New York, New York 10014, Attn: Shannon Anne Scott. Objections not timely filed and served may not be considered by the Court.

PLEASE TAKE FURTHER NOTICE, that if no Objections are timely filed, served and received in accordance with this notice, the Court may enter the proposed

Order without further notice or hearing. If an Objection is timely served and received, a hearing will be held before the Court, at a date and time to be established by the Court.

Dated: New York, New York
November 8, 2018

WILLIAM K. HARRINGTON
UNITED STATES TRUSTEE

By: /s/ Shannon Anne Scott
Trial Attorney
201 Varick Street, Room 1006
New York, NY 10014
Tel. No. (212) 510-0500